

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

May 31, 2001

LR 17

SENATOR CHAMBERS: Senator Quandahl, this will not...are you asking me if we grant retrocession does that mean the tribe could then engage in casino gambling?

SENATOR QUANDAH: Yes.

SENATOR CHAMBERS: No. No, they would not be able to do that. It does not go to that issue at all. The same issues that exist now would continue to exist in exactly the same posture. This has nothing to do with the gambling question whatsoever.

SENATOR QUANDAH: Okay. Thank you very much.

PRESIDENT MAURSTAD: Thank you, Senator Quandahl. Senator Beutler, on the Chambers amendment.

SENATOR BEUTLER: Senator Chambers, I'm...I'm sure I'm generally in favor of this, having previously gone through this process, I believe, with regard to the Winnebago Tribe and the Omaha Tribe, and I have two questions that I'll give you the rest of my time to react to, or you can react on your own time. The first question is basically this: Is what we are...what we are giving to...what we are giving back to the Santee Tribe with this resolution, is it exactly the same as we did with regard to the Winnebago Tribe and the Omaha Tribe, or more or less? One of the things that's important to me is that we treat all the tribes the same, I would think anyway. And so that's one of my questions. And the second question is if you could expand a little bit with respect to civil jurisdiction and how that is affected. It seems to me that from the description in the resolution that the line between what is the state's jurisdiction and what is the tribe's jurisdiction is a little fuzzier, and I would appreciate whatever additional description you could give us of that including, for example, the various regulatory authorities of the state of Nebraska. Would they still continue to apply insofar as they were effectuated by civil actions, in particular, for example, the Department of Environmental Quality? I would be interested in how the...how the various environmental laws would be protected in the court system. Which court system, for example, would be used to support the regulatory structure. So those are the two